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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,210	02/06/2002	Oussama Zbib	010158	7042
38823 7590 12/07/2007 THOMAS, KAYDEN, HORSTEMEYER & RISLEY, LLP/ AT&T Delaware Intellectual Property, Inc. 600 GALLERIA PARKWAY, S.E. SUITE 1500 ATLANTA, GA 30339-5994			EXAMINER GARG, YOGESH C	
			ART UNIT 3625	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/068,210

Applicant(s)

ZBIB, OUSSAMA

Examiner

Yogesh C. Garg

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. The applicant's amendment received on 10/4//2007 is acknowledged and entered. None of the claims is currently amended. Currently claims 21-40 are pending for examination.

Response to Arguments

2. Applicant's arguments (see Remarks, pages 8-15) filed on 10/4//2007 concerning prior art rejection of claims 21-40 have been considered fully but are not persuasive.

The applicant presents a conclusive statement (see page 9, lines 18-page 9, line 2) that Fukatsu does not disclose the missing limitation from Minte, that is: provide to user, a search window that includes a plurality of search fields, the plurality of search fields configured to receive user-defined search criteria, the plurality of search fields including a first search field configured to facilitate a search of a predetermined first criteria, the plurality of search fields including a second search field configured to facilitate a search of a predetermined second search criteria, the plurality of search fields including a key field configured to facilitate a search across the first search field and the second search field because Fukatsu provides a user option to select a key item and input a key word or select an alternative key word from a list provided in box 77 and which is different from providing a plurality of search fields configured to facilitate a search of a predetermined criteria in different fields. The examiner does not agree.

Per MPEP 2111 Guidelines all claim limitations are to be given broadest possible interpretation until and unless the applicant invokes 35 USC 6th paragraph, "means plus function" limitations. Accordingly, the examiner interprets the claim limitation/phrase "predetermined search criteria" as the key terms or key words used by a user in Fukatsu to facilitate search for a product information by inputting key terms or key words in the provided fields "75", "76" and "77". The key term or key words, such as product name or product genre" correspond to predetermined search criteria. The fields "75", "76" and "77", provided in the interface, as shown in Fig.10, are configured to lead to search results in response to inputting the key terms and key words. Plurality of search fields facilitates a more definitive search than only one search field. Therefore, Fukatsu's art is analogous to that of applicant's claim limitations. It has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, the applicant was faced with the same problem as Fukatsu of requiring a plurality of search fields on an interface such that those search fields, when filled in by key terms/key words/predetermined criteria, facilitate searching the desired data/product information irrespective of the fact that the search data/information relates to a product information in Fukatsu or to advertisements in the claimed invention of the applicant.

In view of the foregoing, the rejection of claim 21 as being unpatentable over Minte in view of Fukatsu is sustainable.

Since the limitations of claims 28 and 35 are similar to those of claim 21 the rejection of claims 28, 35 is also sustainable for the same reasons as set forth for claim 21.

Since rejection of independent claims 21, 28 and 35 is sustainable the rejection of dependent claims 22-27, 29-34, 36-40 is also sustainable.

This is a Final rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3.1. Claims 21-25, 27-32, 34-38 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Minte in view of Fukatsu et al. (US Patent 7,158,846), hereinafter Fukatsu.

Regarding claim 21, Minte combined with Fukatsu teaches a new system for communicating information about an advertisement, comprising:

logic in an advertisement content server configured to receive advertisement information associated with a plurality of advertisers (see Minte, at least paragraph

0043, Fig.1, paragraph 0045, Fig.2 which disclose that the advertisement content server in the form of Mall site "40" receives advertisement information associated with a plurality of advertisers and the mall-site 40 would inherently require a logic/program to receive the information from advertiser (s), just as from 'Joe's" and store and display the same);

(Note: In order to receive and store the advertisements, a computer program will definitely include logic because in a computer program defining the logic of program is often a first step in developing the program's source code, see definition of "logic" in "Microsoft Computer Dictionary, Third edition, 1997. Note: The reference of Microsoft Computer Dictionary is cited as a mere evidence to show that a computer application program, that will be used in Minte to receive and store the advertisement information in digitized form will include a logic and defining a logic in developing a program is a first step. Minte further discloses using a computer program/logic in response to receiving a request for search of an advertisement either via "bug" or directly receiving a request for content and then searching for the same and presenting it to the user.)

logic in an advertisement content server configured to store the information as records within defined fields (see Minte, at least paragraph 0044 and Figs.1-4, Reference # "40" and "60" which show the defined fields, such as "Broadcast call letters", " Broadcast promotion" and " Menu of Advertisers", The Menu of Advertisers includes further defined fields/categories, such as "coupons", "specials", "Catering info");

logic in an advertisement content server configured to receive a search request from the user, (see Minte, at least paragraphs 0032-0033, 0044-0045 which disclose that a user can go directly to the Mall site "40" that is the server and then research [search] the products of interest, see Figs.2-4, that is a user can send a search request for "coupons" and "specials" at "Eat at Joe's" eatery);

Minte does not explicitly teach that the advertisement server is configured to:
provide to user, a search window that includes a plurality of search fields, the plurality of search fields configured to receive user-defined search criteria, the plurality of search fields including a first search field configured to facilitate a search of a predetermined first criteria, the plurality of search fields including a second search field configured to facilitate a search of a predetermined second search criteria, the plurality of search fields including a key field configured to facilitate a search across the first search field and the second search field;

receive from a user at least one search term related to one of the defined fields and in response to perform a search function according to the at least one search term.

Fukatsu teaches in the field of searching information about a product from a database by providing to a user a search window that includes a plurality of search fields, the plurality of search fields configured to receive user-defined search criteria and receiving from a user at least one search term related to one of the defined fields and in response to perform a search function according to the at least one search term (see at least Fig.10, col.7 lines 10-20, *"In step S3, search processing is performed by displaying a product environmental information search window shown in FIG. 10. The user may select a search key item 75 and input a corresponding search key word 76, or may select one of some alternatives at 77. Search key items 75 are, for example, "Product Genre", "Order No.", "Product Name", etc. If a plurality of search condition items are provided, the AND (logical product) of them is used."* In Fig.10 a search window is provided including a plurality of search fields 75, 76 and 77 which are configured to receive user-defined search criteria in the plurality of fields for the desired items/products/attributes, etc. and in response a search function is performed according to the received search term.). In view of Fukatsu, it would be obvious to one of an ordinary skilled in the art, to incorporate and use this feature in Minte because it would enable the user to receive additional information about the advertised products, such as product names/description/price, etc. by using keywords and search term related to the advertised product after having accessed the web site of the advertised product (see Minte at least paragraph 0034).

Minte teaches that a logic in an advertisement content server is configured to transmit at least a portion of the information to the user resulting from the search function (see at least paragraph 0046 & Fig.3 wherein the consumer is conveyed the information of the advertisement he is looking for, such as "Joe's" eatery).

Regarding claims 22 & 23, Minte discloses that the system of claim 21, wherein the system is configured to provide at least one advertiser access to the information via the Internet/ a remote database client (see at least paragraph 0029 which discloses that an advertiser's information can be accessed via web-link which corresponds to the use of Internet or remote database client).

Regarding claim 24, Minte discloses that in the system of claim 21, at least one field includes broadcaster identification information (see Fig.2, " WXYZ TV or WQRS Radio").

Regarding claim 25, Minte discloses that in the system of claim 21, wherein at least one field includes advertiser identification information (see at least Fig.2, " Eat at Joe's").

Regarding claim 27, Minte discloses all the limitations of claim 21, as analyzed above. Minte further discloses, that the advertisement information could include unpublished advertisements that are available through the advertisement content server (see at least Figs. 2 and 3 and paragraphs 0043 and 0046 which include information on coupons, specials, as part of the supplemental/extended information of an advertisement available only through the content server, that is Mall site "40") .

Regarding claims 28-32, 34, 35-38, and 40, their limitations are closely parallel to the limitations of claims 21-25 and 27 and are therefore analyzed and rejected on the same basis.

4.2. Claims 26, 33 and 39 are rejected under 35 U.S.C. 103(a) as being obvious over Minte in view Fukatsu and further in view of Stein (US Patent 5,826, 241).

Regarding claim 26, Minte in view of Fukatsu discloses all the limitations of claim 21, as analyzed above, but does not disclose that the system is configured to charge a fee for accessing the information. However, Stein teaches this limitation (see at least Fig.1, 6J, col.3, lines 17-37, col.10, line 62-col.11, line 13 discloses that the payment system "10" charges a service fee "148" for providing services to the seller to sell information products in digitized form.). In view of Stein, it would have been obvious to one of an ordinary skilled in the art at the time of the invention to have modified Minte in view of Fukatsu as applied to claim 21 by incorporating the feature of charging a fee for accessing the information because it will help to meet the expenses of establishing the Mall site 40 and also it would be a medium to earn income for the company which owns the Mall site "40".

Regarding claims 33 and 39, their limitations are closely parallel to the limitations of claim 26 and are therefore analyzed and rejected on the same basis.

Conclusion

4. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yogesh C. Garg whose telephone number is 571-272-6756. The examiner can normally be reached on Increased Flex.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey A. Smith can be reached on 571-272-6763. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Yogesh C Garg
Primary Examiner
Art Unit 3625

YCG
12/05/2007